



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTIETH LEGISLATURE, 2019**

ON THE FOLLOWING MEASURE:

S.B. NO. 1405, S.D. 1, RELATING TO ELECTRONIC SMOKING PRODUCTS.

BEFORE THE:

SENATE COMMITTEES ON JUDICIARY AND ON WAYS AND MEANS

DATE: Tuesday, February 26, 2019 **TIME:** 10:05 a.m.

LOCATION: State Capitol, Room 211

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**

(For more information, contact Delanie D. Prescott-Tate,
Deputy Attorney General, at 808-586-1203)

Chairs Rhoads and Dela Cruz and Members of the Committees:

The Department of the Attorney General supports the bill and provides the following comments.

The bill seeks to address the health dangers caused by the rapidly growing use of electronic smoking devices in Hawaii, especially among the youth. This bill establishes the offense of unlawful shipment of e-liquid products to a person or entity that is not a licensee; increases licensing and permit fees for wholesalers, dealers and retailers of cigarettes and tobacco products; funds health education and prevention programs; repeals chapter 28, part XII, Hawaii Revised Statutes (HRS); and repeals section 245-27, HRS (Supp. 2018), relating to delivery sales.

This bill also seeks to include e-liquid, for the first time, within the definition of "tobacco products," which would place its regulation within the existing framework of the Department of Taxation. Retailers of e-liquid would now be required to obtain retail tobacco permits, and wholesalers and dealers of e-liquids would be required to obtain a license. This bill would allow the regulation of e-liquid products to be combined with the retail tobacco permitting process, a function already within the purview of the Department of Taxation, and would render the Electronic Smoking Device Retailer Registration Unit, recently created by 28-163, HRS (Supp. 2018), unnecessary.

As such, the Department of the Attorney General supports the repeal of Chapter 28, Part XII, HRS (Supp. 2018), based upon this bill's goal of subjecting e-liquids to taxation and regulation under chapter 245, HRS. Including e-liquids within the same regulatory framework as other tobacco products would conserve resources and make the regulation of e-liquids a more efficient process for the public and retailers.

Thank you for the opportunity to provide comments.

DAVID Y. IGE
GOVERNOR

JOSH GREEN M.D.
LIEUTENANT GOVERNOR



LINDA CHU TAKAYAMA
DIRECTOR

DAMIEN A. ELEFANTE
DEPUTY DIRECTOR

**STATE OF HAWAII
DEPARTMENT OF TAXATION**

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To: The Honorable Karl Rhoads, Chair
and Members of the Senate Committee on Judiciary

The Honorable Donovan M. Dela Cruz, Chair
and Members of the Senate Committee on Ways and Means

Date: Tuesday, February 26, 2019
Time: 10:05 A.M.
Place: Conference Room 211, State Capitol

From: Linda Chu Takayama, Director
Department of Taxation

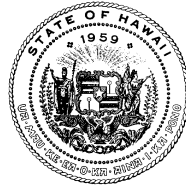
Re: S.B. 1405, S.D. 1, Relating to Electronic Smoking Products

The Department of Taxation (Department) supports S.B. 1405, S.D. 1, and offers the following comments for the Committee's consideration. A summary of the key provisions of S.B. 1405, S.D. 1, are as follows:

- Adds a new section making it a misdemeanor or felony to ship e-liquid products in the State unlawfully;
- Adds a new definition for the terms "e-liquid," "electronic smoking device" and "smoke" or "smoking";
- Amends the definition of "tobacco products" to include e-liquid;
- Raises the fee for a tobacco wholesaler or dealer license from \$2.50 annually to \$250 annually;
- Raises the fee for a tobacco retailer permit from \$20 per location annually to \$50 per location annually;
- Amends the allocation of revenue collected under the cigarette stamp tax to provide \$100,000 to Hawaii Tobacco Prevention and Control Trust Fund and \$100,000 to the University of Hawaii Cancer Center;
- Repeals Chapter 28, Part XII, Hawaii Revised Statutes (HRS), which created the Electronic Smoking Device Retailer Registration Unit in the Department of the Attorney General;
- Repeals Section 245-17, HRS, relating to delivery sales of electronic smoking devices; and
- Is effective January 1, 2020.

The Senate Committee on Commerce, Consumer Protection, and Health made changes to this measure at the Department's request. The Department appreciates the consideration of its testimony and notes that it can administer this bill as currently drafted.

Thank you for the opportunity to provide testimony in support of this measure.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of S.B. 1405, SD1
RELATING TO ELECTRONIC SMOKING PRODUCTS**

SENATOR KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY

SENATOR DONOVAN M. DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS

Hearing Date: February 26, 2019

Room Number: 211

1 **Fiscal Implications:** The Department of Health (DOH) defers to the Department of Taxation
2 (DOTAX) for fiscal implications of implementation and to the Department of the Attorney
3 General (AG) for fiscal implications for enforcement.

4 **Department Testimony:** The DOH supports Senate Bill 1405, Senate Draft 1 (S.B. 1405, SD1)
5 as a measure to protect the public's health, especially youth, from the harmful effects of tobacco
6 use and initiation. The bill makes unlawful the shipping of e-liquid products to consumers
7 except for licensed wholesalers or dealers. It provides for the inclusion of e-liquid and electronic
8 smoking devices containing e-liquid in the definition of tobacco products, the imposition of an
9 excise tax, the requirement for licensing and permitting fees, and an increase in licensing and
10 permitting fees. This measure also clarifies the definition of the term "value" to mean "fair
11 market value at the time of the offense", requires applicants for retail tobacco permits to specify
12 whether each place of business sells e-liquid, and changes the effective date to January 1, 2020.
13 The Department defers to DOTAX for implementation, and to the AG regarding the enforcement
14 of the shipping regulations.

15 The Federal Drug Administration (FDA) defines tobacco products as any product that is
16 derived from tobacco and meant for human consumption. The regulation of electronic smoking
17 devices (ESDs) under the FDA tobacco authority was determined by a 2010 court decision in

2010 in *Sottera, Inc. vs FDA*. If the products are for therapeutic purposes, these are regulated by the FDA’s Center for Drug Evaluation and Research (CDER).¹ In Hawaii, and across the nation, despite tremendous progress in reducing smoking, tobacco use remains the leading cause of preventable illness and death.² It is crucial that the progress made in reducing cigarette smoking among youth and young adults not be compromised by the initiation of ESDs, also known as vaping or e-cigarettes. Most ESDs purchased in the US contain nicotine, which is highly toxic and addictive.³ Several studies have shown that youth who use e-cigarettes are more likely to also use regular cigarettes.^{4,5,6}

New findings from the 2018 National Youth Tobacco Survey (NYTS) demonstrated a dramatic increase in youth use of ESDs. From 2017 to 2018, there was a 78% increase in current e-cigarette use among high school students and a 48% increase among middle school students.⁷ In a rare advisory in December 2018, the U.S. Surgeon General, Dr. Jerome Adams, officially declared “e-cigarette use among youth an epidemic in the United States”.⁸ Likewise, Dr. Scott Gottlieb, Commissioner of the U.S. Food and Drug Administration, in his press statements described his shock at the alarming surge in youth uptake of ESD and that youth vaping is an epidemic.^{9,10} Hawaii rates of youth ESD use is higher, with 25% of high school

¹ <https://www.fda.gov/TobaccoProducts/GuidanceComplianceRegulatoryInformation/Manufacturing/ucm335294.htm>.

² Centers for Disease Control and Prevention. *Best Practices for Comprehensive Tobacco Control Programs*, 2014. Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014

³ Marynak, et al. Sales of Nicotine-Containing Electronic Cigarette Products: United States, 2015. *Research and Practice*, AJPH, published online March 21, 2017.

⁴ Watkins SL, Glantz SA. Association of Noncigarette Tobacco Products Use with Future Cigarette Smoking Among Youth in the Population Assessment of Tobacco and Health (PATH) Study, 2013-2015. *JAMA Pediatric*. Published online January 2, 2018.

⁵ Barrington-Trimis, JL, Urman, R, Berhane, K, Unger, JB, Cruz, TB, Pentz, MA, Samet, JM, Leventhal, AM, McConnell, R. E-Cigarettes and Future Cigarette Use. *Pediatrics*.2016-0379.

⁶ Wills, TA, Knight, R, Williams, RJ, Pagano, I, Sargent JD. Risk Factors for Exclusive E-Cigarette Use and Dual E-Cigarette Use and Tobacco Use in Adolescents. *Pediatrics*. 2014-0760.

⁷Notes from the Field: Use of Electronic Cigarettes and Any Tobacco Product Among Middle and High School Students- United States, 2011-2018. (n.d.), 2.

⁸ Health (ASH), A. S. for. (2018, December 17). Surgeon General releases advisory on E-cigarette epidemic among youth [Text]. Retrieved January 26, 2019, from <https://www.hhs.gov/about/news/2018/12/18/surgeon-general-releases-advisory-e-cigarette-epidemic-among-youth.html>

⁹ Commissioner, O. of the. (n.d.). Press Announcements - Statement from FDA Commissioner Scott Gottlieb, M.D., on new data demonstrating rising youth use of tobacco products and the agency’s ongoing efforts to confront the epidemic of youth e-cigarette use [WebContent]. Retrieved January 30, 2019, from <https://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/UCM620185.htm>

¹⁰ Commissioner, O. of the. (n.d.). Press Announcements - Statement from FDA Commissioner Scott Gottlieb, M.D., on new steps to address epidemic of youth e-cigarette use [WebContent]. Retrieved February 11, 2019, from <https://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm631112.htm>

1 students reporting being regular users, and 42% had tried them, and rates for neighbor islands
2 are consistently higher than state rates.¹¹

3 The Department supports the restriction of shipping tobacco products to anyone other
4 than a licensed wholesaler/dealer, that is engaged in the business of selling tobacco products
5 and is on the DOTAX authorized list. This will strengthen protections for youth and young
6 adults and provide a public health policy to counter the preferred purchasing method by middle
7 and high school student ESD users; 64 percent and 60 percent, respectively said they purchase
8 from friends.¹²

9 Hawaii is among five states (including California, Oregon, New Jersey, and Maine) in the
10 country that prohibit the sales of tobacco products to any person under the age of twenty-one
11 years. Such legislation specifically addresses face-to-face transactions and is meant to prevent
12 youth access and initiation of tobacco use. However, the acceleration of online tobacco product
13 sales has created a dangerous loophole, undermining efforts to protect public health, by
14 providing an appealing option for underage smokers. In the current unregulated online market,
15 youth easily, and often, circumvent the age verification process for purchasing tobacco. In some
16 transactions age verification simply requires the consumer to acknowledge that a person is over
17 the legal age to purchase by clicking the word, “agree,” to advance the transaction.

18 The Internet Tobacco Vendors Study (ITV), supported by the National Cancer Institute
19 and the United States Food and Drug Administration (USFDA) Center for Tobacco Products, has
20 monitored the online tobacco industry for over fifteen years, to assess sales practices and public
21 health impacts. In 2016, its study found that minors were successful in buying ESDs online 93
22 percent of the time despite age restrictions and another study found that ESDs were often
23 shipped from internet vendors without instructions or health warnings. Due to the easy access

¹¹ Hawaii School Health Survey/ Youth Risk Behavior Survey (2017)

¹² Hawaii School Health Survey/Youth Tobacco Survey (2017)

1 for minors through online marketing, researchers recommend more vigorous policies to prohibit
2 sales to minors.^{13,14}

3 Unregulated online access provides a way for the purchaser and tobacco industry to avoid
4 federal and state taxes, resulting in loss of revenue and evasion of an important public health tool
5 for prevention.¹⁵ Youth are price sensitive and online purchasing options are a less expensive
6 method for acquiring tobacco products including ESDs. Hawaii has seen ESD use by youth and
7 young adults increase at an alarming rate.¹⁶ ESDs are now the most commonly used tobacco
8 product among youth in the nation, and in Hawaii.^{17,18} The electronic cigarette industry is
9 growing rapidly, with retail and online sales of electronic smoking devices projected to reach 10
10 billion dollars in 2017.^{19,20} The pricing, marketing, and variety of youth-friendly flavors are
11 contributing to the increased use of ESDs.²¹

12 The Department supports the measure's proposed amendment that requires wholesalers
13 and retailers of e-liquids and ESDs containing e-liquid, to obtain the applicable license or permit.
14 Presently, vendors that sell only ESDs are required to have only a General Excise License
15 compared to establishments that sell cigarettes and other tobacco products. In adherence to Act
16 206, of 2018 session laws, requiring the AG to establish an Electronic Smoking Device Retailer
17 Registration Unit, 640 entities that sell ESDs have registered to date. Licensure and retail
18 permitting would bring e-liquid vendors in alignment with the traditional tobacco retailers and
19 would provide accurate data for compliance surveillance.

¹³ Williams RS, Derrick J, Ribisl KM. Electronic Cigarette Sales to Minors via the Internet. *JAMA Pediatric*. 2015;169(3): e1563. doi:10.1001/jamapediatrics.2015.63.

¹⁴ Kong AY, Derrick JC, Abrantes AS, Williams RS. *What is included with your online e-cigarette order? An analysis of e-cigarette shipping, product and packaging features*. *Tobacco Control*. [Epub ahead of print] June 29, 2016. doi:10.1136/tobaccocontrol-2016-053061.

¹⁵ *The National Association for Convenience and Fuel Retailing*: <http://www.nacsonline.com/Advocacy/Issues//Tobacco/Pages/RemoteSalesofTobacco.aspx>

¹⁶ Hawaii State Department of Health, *2016-2020 Tobacco Use Prevention and Control in Hawaii, Five-Year Strategic Plan*, p.25.

¹⁷ U.S. Centers for Disease Control and Prevention (CDC), *"Tobacco Use Among Middle and High School Students — United States, 2011- 2015," Morbidity and Mortality Weekly Report (MMWR) 65(14):361-367, April 14, 2016*, <http://www.cdc.gov/mmwr/volumes/65/wr/pdfs/mm6514a1.pdf>

¹⁸ Hawaii State Department of Health, *Youth Risk Behavior Survey (2015)*

¹⁹ Herzog B, Gerberi J. *E-Cigs revolutionizing the tobacco industry, 2013*. <http://www.smallcapfinancialwire.com/wp-content/uploads2013/11/E-Cigs-Rovolutionizing-the-Tobacco-Industry-Interactive-Model.pdf>

²⁰ Craver, R. (September 15, 2013). *Analyst projection: E-cigs will overtake traditional tobacco revenue at Reynolds in 2021*. *Winston-Salem Journal*. http://www.journalnow.com/business/business_news/local/analyst-projection-e-cigs-will-overtake-traditional-tobacco-revenue-at/article_948674ca-1ca9-11e3-a0ae-0019bb30f31a.html

²¹ *ibid*

1 The proposed increases in licensure and permitting fees have remained unchanged since
2 1995, despite high tobacco taxes and ever-increasing tobacco industry expenditures in marketing
3 and advertising. Tobacco licensing is an effective tool for limiting the negative public health
4 consequences of tobacco use by ensuring that wholesalers and retailers comply with responsible
5 sales practices. The proposed licensing would apply to those who sell e-liquids.

6 The Department supports S.B. 1405, SD1 as a multifaceted public health policy to help
7 prevent access to e-liquid, e-cigarettes, cigarettes and tobacco products among youth and young
8 adults, and to encourage users to quit.

9 Thank you for the opportunity to testify.

10 **Offered Amendments:** None

TAX FOUNDATION OF HAWAII

126 Queen Street, Suite 304

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: TOBACCO, Prohibits Shipment of Tobacco Products, Adds Electronic Smoking Devices, Hikes Rates and Fees

BILL NUMBER: SB 1405, SD-1

INTRODUCED BY: Senate Committee on Commerce, Consumer Protection, & Health

EXECUTIVE SUMMARY: Prohibits the shipment of tobacco products, and the transport of tobacco products ordered or purchased through a remote sale, to anyone other than a licensee. Makes all provisions of the cigarette tax and tobacco tax law that relate to tobacco products applicable to e-liquid. Increases the license fee for wholesalers or dealers and the retail tobacco permit fee. Amends the taxes on cigarettes and tobacco products. Increases the excise tax for each cigarette or little cigar sold, used, or possessed by a wholesaler or dealer. Increases the excise tax on the wholesale price of each article or item of tobacco products, other than large cigars, sold by the wholesaler or dealer. Our question is whether tax increases are an effective way to advance the social policy goals contained in this measure.

SYNOPSIS: Adds a new section to chapter 245, HRS, to establish the offense of unlawful shipment of tobacco products. If a person is in the business of selling tobacco products and ships to a person in Hawaii that is not a tobacco tax licensee, the person commits the offense. Exceptions are provided if the tobacco products are exempt from Hawaii tobacco tax, or Hawaii tobacco tax on the products is already fully paid. The offense is a class C felony if the products being shipped have a value (defined to be fair market value at the time of the offense) of \$10,000 or more, otherwise it is a misdemeanor.

Amends section 245-1, HRS, to include "e-liquid" within the definition of tobacco products taxable under the Tobacco Tax Law, and to define "e-liquid" as any liquid or like substance that may or may not contain nicotine and that is designed or intended to be used in an electronic smoking device, whether or not packaged in a cartridge or other container; except that E-liquid shall not include prescription drugs; medical cannabis or manufactured cannabis products; or medical devices used to inhale or ingest prescription drugs, including manufactured cannabis products sold or distributed in accordance with section 329D-10(a).

Defines "electronic smoking device" as any electronic product, or part thereof, that can be used by a person to simulate smoking in the delivery of nicotine or any other substance, intended for human consumption, through inhalation of vapor or aerosol from the product. Electronic smoking device includes but is not limited to an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen or related product, and any cartridge or other component part of the device or product.

Amends section 245-2, HRS, to raise the annual fee for a tobacco license from \$2.50 to \$250.00.

Amends section 245-2.5, HRS, to raise the annual fee for a retail tobacco permit from \$20 to \$50. Provides that the applicant for such a permit shall specify whether each place of business sells e-liquid, and that the permit shall state whether the place of business permitted sells e-liquid.

Amends section 245-15, HRS, to add an earmark of \$100,000 to go to the Hawaii tobacco prevention and control trust fund and \$100,000 to the University of Hawaii cancer center to support tobacco and cancer prevention research.

Repeals chapter 28, part XII, HRS, relating to the electronic smoking device retailer registration unit within the Department of the Attorney General.

Repeals section 245-17, HRS, relating to delivery sales.

EFFECTIVE DATE: July 1, 2020.

STAFF COMMENTS: The question that should be asked is the purpose of the tobacco tax. If the goal is to make people stop smoking by making it cost-prohibitive to smoke, then (a) it's working, as hikes in the cigarette tax have begun to exert downward pressure on collections not only locally but also nationally, but (b) it shouldn't be expected to raise revenue, because of (a). If the goal is really to stop the behavior, why are we not banning it?

As the Foundation's previous President, Lowell Kalapa, wrote in the Tax Foundation of Hawaii's weekly commentary on October 28, 2012:

Lawmakers seem to have a simplistic reaction to solving problems the solution to which plagues their constituents – tax it.

Probably the best example is what people like to call sin taxes, those excise taxes that are levied on tobacco and alcohol products. After all, smoking causes cancer and alcohol causes all sorts of problems including driving under the influence. Lawmakers and community advocates shake their heads and push for higher tax rates, arguing that making these products more expensive will deter folks from using these products.

The problem is that lawmakers also like the revenues that are generated from the sales of these products and, in some cases, they have tried to link the use and sale of these products with noble causes such as the funding of the Cancer Research Center that is currently being built. Again, the argument is that smokers should pay for programs and projects which seek to cure the related ill which in this case is cancer caused by smoking.

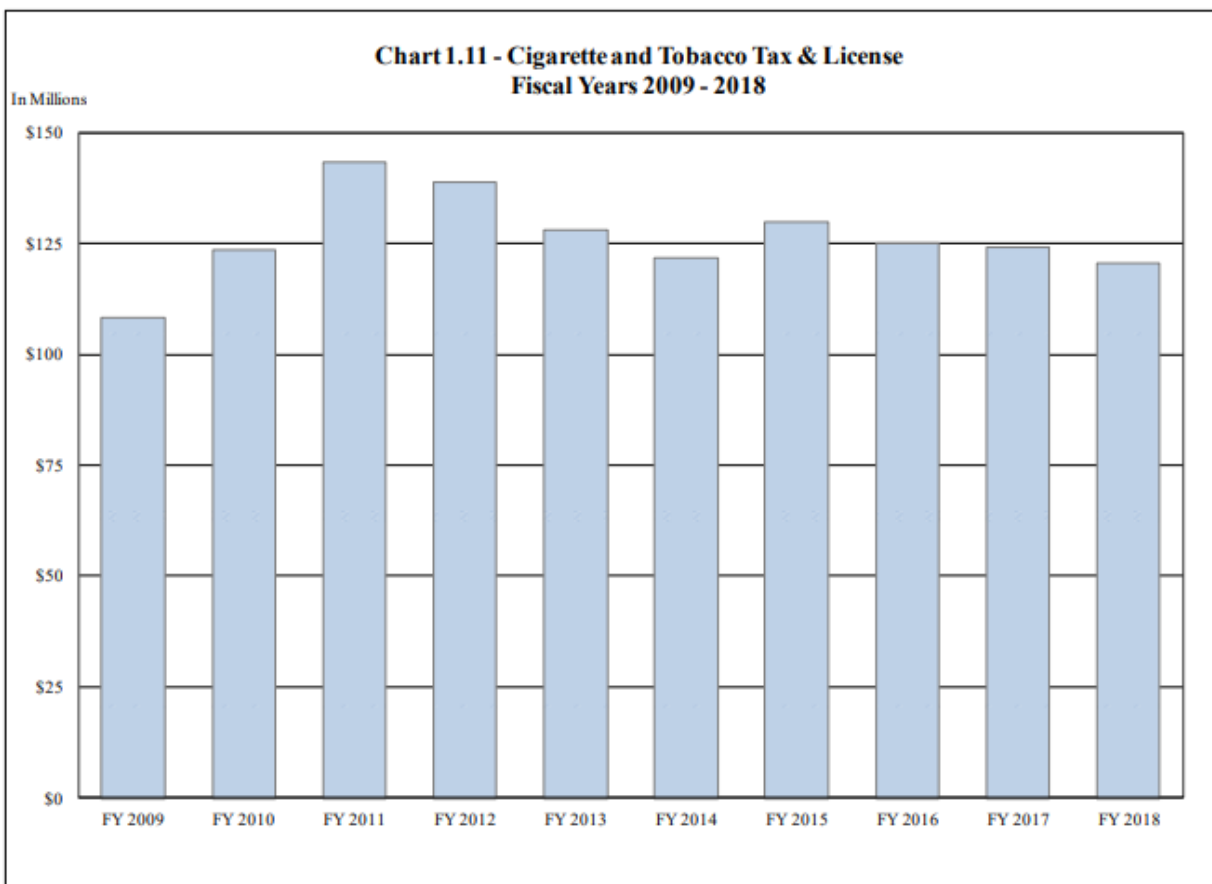
The irony is that arguments to increase the tax on tobacco and, more specifically, cigarettes, is a goal of getting smokers to quit while depending on the revenues from tobacco and cigarette taxes to fund an ongoing program, in this case the Cancer Research Center. So, which is it folks, stop smokers from smoking and if successful, there won't be any revenues to fund the Cancer Research Center?

The fact of the matter is that it appears that both locally and nationally, higher taxes on cigarettes is having an effect on smokers as, for the first time, tax collections on the sale

of cigarettes have fallen below the previous year's tax collections. Certainly some of the decline is due to smokers actually quitting, but to some degree one has to suspect that some purchases were made via mail order from exempt Indian reservation outlets while others may be what is called gray market purchases, that is from sources outside the country.

What should come as a surprise is that most of the folks who have quit are of some means as they are more likely to recognize the health hazard caused by use of this product. That means most of those who are still smoking are among the lower-income members of our community. Thus, the tax is regressive, generating less and less collections from middle and higher-income individuals.

As predicted, programs that have been fed by earmarks from the tobacco tax, like the Cancer Research Center, have become a victim of the success of tobacco cessation programs and publicity. Revenues produced by the tobacco tax have been in steady decline over the past few years despite tax rate increases, and hoisting the smoking age to 21 in the 2015 session certainly didn't reverse the trend.



Source: Department of Taxation Annual Report (2017-2018), page 22.

Re: SB 1405, SD-1

Page 4

Do we really need an elaborate study to tell ourselves that fiscal reliance on funds from a sin tax is inadvisable or outright dangerous? If the goal is to affect social behavior, use of the tax law is not the most effective way to do so.

Digested 2/22/2019

SB-1405-SD-1

Submitted on: 2/22/2019 5:51:18 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Clarysse Kami Nunokawa	Individual	Support	No

Comments:

SB-1405-SD-1

Submitted on: 2/22/2019 5:32:05 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Teshima	Individual	Support	No

Comments:



**Testimony to the Senate Joint Committee on Judiciary and Ways and Means
Tuesday, February 26 2019; 10:05 a.m.
State Capitol, Conference Room 211**

RE: SUPPORTING SENATE BILL NO. 1405, SENATE DRAFT 1, RELATING TO ELECTRONIC SMOKING PRODUCTS.

Chair Rhoads, Chair Dela Cruz, and Members of the Committee:

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA **SUPPORTS** Senate Bill No. 1405, Senate Draft 1, RELATING TO ELECTRONIC SMOKING PRODUCTS.

The bill, as received by your Committee, would:

- (1) Apply the excise tax on tobacco products on e-liquid;
- (2) Require retailers of e-liquid to obtain a retail tobacco permit to sell, possess, keep, acquire, distribute, or transport e-liquid, and specify whether each place of business sells e-liquid.;
- (3) Prohibit the unlicensed wholesale and retail sale of e-liquid;
- (4) increase the license fee for the wholesale and retail sale of cigarettes and tobacco products;
- (5) Increase the fee for the retail tobacco permit;
- (6) After June 30, 2019, deposit \$100,000 in tobacco tax revenue to the Hawaii Tobacco Prevention and Control Trust Fund, and \$100,000 to the University of Hawaii Cancer Center to support tobacco and cancer prevention research; and
- (7) Take effect on January 1, 2020.

Federally Qualified Health Centers (FQHCs) provide desperately needed medical services at the frontlines in rural communities. Long considered champions for creating a more sustainable, integrated, and wellness-oriented system of health, FQHCs provide a more efficient, more effective and more comprehensive system of health.

FQHCs have long seen first-hand how tobacco has literally destroyed the lives of our patients and their families. Because of the ubiquity of cigarettes, chewing tobacco, and now electronic smoking devices, the impacts of tobacco affect our citizenry on a generational basis with people experimenting at even earlier ages.

It is for this reason that the HPCA joins the Hawaii Public Health Institute and other advocates in strong support of all efforts to rid the marketplace of these products.

In advance, thank you for your consideration of our testimony.

BRIDGE CLUB HAWAII

February 22, 2019

RE: **SUPPORT for SB1405 SD1**

Aloha Chair Rhoads, Vice Chair Wakai, members of the Committee on Judiciary, Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee on Ways and Means,

Thank you for your dedication to the health and livelihood of Hawai'i's keiki, and for this opportunity to testify in **SUPPORT** of SB1405 SD1 related to the regulation of electronic smoking devices. Bridge Club Hawaii is a youth community organization with ties to over 10,000 youth in Hawai'i and across the globe. Our mission is to empower youth to become global leaders ready to tackle the problems of tomorrow and make the world a better place.

We are especially concerned about the health of our communities and our members and urge you to support this bill. Just like other scientifically proven threats to society, electronic smoking devices (ESDs) and e-liquids must be regulated as tobacco products through taxation, online shipment restrictions, and licensing and permitting. Currently, ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. It has been proven that taxation and increasing the price of tobacco products is a proven strategy that discourages use of these products, especially among youth.

Hawai'i is in the midst of a youth vaping epidemic, and more must be done to reverse the upward trend for the purchase and use of ESDs by young adults. We strongly support SB1405 SD1 and ask you to do the same. Thank you for this opportunity to testify.

Sincerely,



Colby Takeda
Founder, Chair
Bridge Club Hawaii



February 23, 2019

To: To the Senate Committee on Judiciary and Committee on Ways and Means
The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice Chair
Members of the Senate Committee on Judiciary
The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Senate Committee on Ways and Means

Re: Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

Hrg: February 26, 2019 at 10:05 AM at Capitol Room 211

The Hawaii Public Health Association is a group of over 600 community members, public health professionals and organizations statewide dedicated to improving public health. HPHA also serves as a voice for public health professionals and as a repository for information about public health in the Pacific.

HPHA strongly supports SB1405 SD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. HPHA appreciates that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

Thank you for the opportunity to provide testimony on important health issues affecting people in Hawai'i.

Respectfully submitted,

A handwritten signature in dark ink that reads "Holly Kessler". The signature is written in a cursive, flowing style.

Holly Kessler
Executive Director
Hawaii Public Health Association

February 26, 2019

RE: SUPPORT SB1405 SD1 Relating to Electronic Smoking Products

Dear Chairs Rhoads and Dela Cruz, and Members of the Committees:

At Blue Zones Projects we are working to make Hawaii a happier, healthier place to live, work, and play. We support SB1405 SD1, which will help to regulate sales of electronic smoking devices. In Hawaii alone, smoking causes 1400 adult deaths per year and costs \$256 million. Limiting the use of tobacco would result in an extremely effective way to prevent a variety of chronic diseases while lessening the financial burden of these diseases.

An industry, which is not regulated, cannot be held accountable. This measure would mandate that e-cigarette retailers need to possess the appropriate retail tobacco permit to sell e-cigarettes and liquids, which would result in better oversight of this quickly growing industry. It is impossible to know if a retailer is selling to under 21 if there is no way to track the retailers.

The industry has been left to grow without paying the taxes it should be paying on its products. It is important to bring electronic smoking devices, and their parts, under the same tobacco taxes as other nicotine products. This alignment creates a more clear message to consumers. Furthermore, this measure will increase the cost for a tobacco license from \$2.50 annually to \$250 annually, and the cost of a retail permit will go from \$20 annually to \$50 annually. Even small businesses can pay these minimal raises in fees to be allowed to continue to profit from the sale of tobacco products.

Although Hawaii has one of the strictest laws in the nation prohibiting the sale of tobacco to individuals under the age of 21, our children are easily able to purchase cigarettes and other tobacco products via the Internet. This legislation will address this loophole by only allowing the online purchase and shipment of tobacco products to licensed retailers, where consumers can purchase.

There are still many people in Hawaii who do not truly understand the harmful effects of vaping. Likewise, student surveys with the Tobacco Coalition of Hawaii show us that parents are purchasing vape products for their kids, naïve to the real impact of addiction and health concerns vaping brings. We are learning that many children access vape products online, using their parent's resources and information to order them. This loophole needs to be closed.

Nationally, there was a 78% increase from 2017-2018 in current e-cigarette use among high school students and 48% increase among middle school students. Bringing the total number of middle and high school students currently using to 3.6 million, 1.5 million more than the previous year. Hawaii youth are

part of this trend. There continues to be a steep rise in the use of electronic smoking devices, and the unregulated industry allows for a simple and easy way for children to purchase these relatively inexpensive, undertaxed products.

Overall, there are a variety of issue this legislation will address. It is time to better regulate an industry, to collect the appropriate taxes, raise the cost of licensing and permitting fees, and close the online loophole that allows for easy underage purchasing.

We are grateful to the Committee for hearing SB1405 SD1 and hope that you will consider passing this important bill.

Sincerely,

Peggy Mierzwa

Peggy Mierzwa
Blue Zones Project—Hawaii

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Testimony in **strong support of SB1405, SD1**

Senate Joint Committee on Judiciary & Committee on Ways & Means

**Decision-Making scheduled Tuesday, February 26, 2019 @ 10:05am
Conference Room 221**

February 24, 2019

To: Senate Committee on Judiciary
Senator Karl Rhoads, Chair, Senator Glenn Wakai, Vice Chair
Senate Committee on Ways & Means
Senator Donovan Dela Cruz, Chair, Senator Gilbert Keith-Agaran, Vice Chair

By: Valerie Chang, JD, Executive Director
Hawaii COPD Coalition, www.hawaiicopd.org, copd.hawaii@yahoo.com
700 Richards Street, Suite 2410, Honolulu, HI 96813; (808)699-9839

Re: **Supporting SB1405, SD1: Relating to Electronic Smoking Products**

Dear Chairs Rhoads and Dela Cruz, Vice Chairs Wakai and Keith-Agaran and Members of the Committees:

My name is Valerie Chang. I am Executive Director of the Hawaii COPD Coalition. Our organization provides services and support to Hawaii's people affected by Chronic Obstructive Pulmonary Disease (COPD), more commonly known as emphysema, chronic bronchitis and similar conditions. **We strongly support SB1405, SD1 relating to electronic smoking products.**

COPD has risen to the third leading cause of death in the US and is also the second leading cause of disability in the US; many COPD patients have multiple chronic health conditions and out of pocket expenses for these medications can be HUGE. The 2011 data reported by the Hawaii Department of health estimates that over 46,015 (or 4.4%) of Hawaii adults have been diagnosed with COPD; likely an equal or greater number remain undiagnosed. The report also estimates over \$55.9 million each year in Hawaii hospitalizations due to COPD. It is estimated that 32 million people in the United States suffer from COPD, with at least half of them not yet diagnosed.

We know that Hawaii is currently experiencing an epidemic of youth experimenting with and regularly using electronic smoking devices (ESDs). This includes children from grade school up through college and is a local and national problem. Studies have repeatedly shown that buffer zones which keep youth from being bombarded with tobacco and ESD messaging and advertising is one effective method of helping to de-normalize ESDs, similar to how smoking cigarettes have been de-normalized by having buffer zones on advertising them so that they are not in the faces of our keiki all the time. We need to keep people from shipping these e-liquids into our state and allow our state to have better control over the licensing and permitting of these products within our state.

The recent study is one of the FIRST study to show an independent association of e-cigarette use with chronic respiratory disorders and it's a Hawaii study. The citation is <https://www.ncbi.nlm.nih.gov/pubmed/30472577> Drug Alcohol Depend. 2019 Jan 1;194:363-370. doi: 10.1016/j.drugalcdep.2018.10.004. Epub 2018 Nov 7, E-cigarette use and respiratory disorder in an adult sample. [Wills TA](#)¹, [Pagano I](#)², [Williams RJ](#)³, [Tam EK](#)⁴.

Accordingly, on behalf of the Hawaii COPD Coalition, we are proud to urge the passage of SB1405, SD1, which will allow our state to properly regulate electronic smoking products and keep unlawful e-liquid products from being shipped into our state. **Please vote to pass SB1405, SD1!**



HIPHI Board

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Research Office

En Young, MBA
Sansei, Lanai

Date: February 24, 2019

To: Senator Karl Rhoads, Chair
Senator Glen Wakai, Vice Chair
Members of the Judiciary Committee

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Ways and Means Committee

Re: Strong Support for SB1405 SD1, Relating to Electronic Smoking
Products

Hrg: February 26, 2019 at 10:05am at Conference Room 211

The Coalition for a Tobacco-Free Hawai'i, a program of the Hawai'i Public Health Instituteⁱ is in **Strong Support of SB 1405 SD1** which imposes a tax on e-liquid, including disposable electronic smoking devices (ESDs), dedicates a portion of the revenue to tobacco prevention and control efforts, requires wholesalers and retailers to obtain a license and a retail tobacco permit, and restricts the shipment of tobacco products to anyone other than a licensee.

E-cigarette use among youth and young adults has become a public health concern.

In 2017, 1 in 4 (25.5%) public high school students and more than 1 in 6 (15.7%) public middle school students in Hawai'i reported that they are regularly vapingⁱⁱ. Hawai'i has the third highest high school e-cigarette rate in the Country. Because ESDs remain unregulated, e-cigarette companies have aggressively marketed their products by glamorizing their use, using celebrities and young adults as endorsers, and making false health claims. E-cigarettes often contain nicotine, which is addictive and harmful particularly to adolescents, whose brains are still developing. A 2016 report by the Surgeon General concluded that e-cigarettes are dangerous and a health threat to youth and young adultsⁱⁱⁱ. According to a recent article published by Dr. Jackler and Dr. Ramamurthi, "JUUL has triggered a widespread rush among aerosol purveyors to market e-liquid in unprecedentedly high nicotine concentrations^{iv}."

Electronic smoking devices (ESDs) are the only tobacco product without a tobacco tax.

In 2016, the FDA deemed e-cigarettes, including its components and parts as tobacco products. In a poll^v conducted by Ward Research Inc. for the Coalition in November 2018, 77% of registered Hawai'i voters were in support of taxing e-cigarettes at the same rate as cigarettes or other tobacco products. Because ESDs are not subject to current State tobacco tax laws, they are seen as lower-priced tobacco alternatives with virtually no restrictions that can be appealing to the youth. A local retailer is selling 15mL of e-liquid, some with strengths up to 50 mg of nicotine per mL, for as little as \$5.00^{vi}. Some companies have starter kits for \$0.99. Raising taxes and increasing the price of tobacco products is a proven strategy to reduce consumption for both adults and youth.

The Coalition supports establishing an ESD tax and appreciates that this measure dedicates a portion of the tax revenue to tobacco prevention and control programs.

ESD licensing and permits protect both consumers and merchants.

The Coalition recommends that ESD sellers and vendors obtain a tobacco permit and/or license which is currently required for any tobacco retailer or wholesaler. This consistency would assist with the communication and enforcement of current tobacco tax and purchase laws. In addition, the Coalition supports the proposed increased fees for the tobacco permit and license.

This measure corrects the loophole in our minimum age selling and tax laws.

Online ESD sellers simply ask users to click a button to verify their age – a process that is both ineffective and inadequate. This measure helps to correct this loophole by requiring that ESD products be shipped to a registered and licensed seller allowing the State to enforce current tobacco selling and taxation laws.

To reiterate, 25.5% of our high school youth reported that they are regularly vaping. However, our adult rate is 4.3%^{vii}. We need to take action and regulate electronic smoking devices for our kids. The current Surgeon General, VADM Jerome Adams issued an advisory last December “emphasizing the importance of protecting our children from a lifetime of nicotine addiction and associated health risks by immediately addressing the epidemic of youth e-cigarette use. The recent surge in e-cigarette use among youth, which has been fueled by new types of e-cigarettes that have recently entered the market, is a cause for great concern. We must take action now to protect the health of our nation’s young people^{viii}.” Hawai'i has made enormous progress on tobacco control and we ask the legislature to take the necessary steps to reverse our youth vaping epidemic in order to save our youth from a lifetime of addiction.

Thank you for the opportunity to testify. We strongly support SB 1405 SD1 and respectfully ask you to pass this measure as is out of committee.

Mahalo,



Jessica Yamauchi, MA
Executive Director

ⁱ The Coalition for a Tobacco-Free Hawai'i (Coalition) is a program of the Hawai'i Public Health Institute (HIPHI) that is dedicated to reducing tobacco use through education, policy, and advocacy. With more than two decades of history in Hawai'i, the Coalition has led several campaigns on enacting smoke-free environments, including being the first state in the nation to prohibit the sale of tobacco and electronic smoking devices to purchasers under 21 years of age.

The Hawai'i Public Health Institute is a hub for building healthy communities, providing issue-based advocacy, education, and technical assistance through partnerships with government, academia, foundations, business, and community-based organizations.

ⁱⁱ 2017 Youth Risk Behavior Surveillance System (YRBS).

<http://www.hawaiihealthmatters.org/indicators/index/dashboard?id=83016762154173692>

ⁱⁱⁱ U.S. Department of Health and Human Services. *E-cigarette Use Among Youth and Young Adults, a Report from the Surgeon General* (2017). From https://e-cigarettes.surgeongeneral.gov/documents/2016_SGR_Exec_Summ_508.pdf

^{iv} Jackler RK, Ramamurthi D. Tob Control Epub ahead of print: 2.6.19.doi:10.1136/tobaccocontrol-2018-054796.

<https://tobaccocontrol.bmj.com/content/early/2019/01/31/tobaccocontrol-2018-054796>

^v This study by Ward Research, Inc. summarizes findings from a phone survey among n=804 Hawaii registered voters (maximum sampling error +/-3.3%), conducted between October 8 and November 2, 2018.

^{vi} <https://www.volcanoecigs.com/strawberry-nicotine-salt-15ml-by-solace-vapor.html>

^{vii} 2016 Behavioral Risk Factor Surveillance System (BRFSS).

<http://www.hawaiihealthmatters.org/indicators/index/view?indicatorId=5203&localeId=14>

^{viii} Surgeon General Advisory, December 2018, <https://e-cigarettes.surgeongeneral.gov/documents/surgeon-generals-advisory-on-e-cigarette-use-among-youth-2018.pdf>

SB-1405-SD-1

Submitted on: 2/23/2019 3:33:52 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Keanu Esser	Testifying for Irie Hawaii	Oppose	No

Comments:

I oppose this bill.

SB-1405-SD-1

Submitted on: 2/25/2019 6:41:31 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sean Anderson	Testifying for Black Lava Vape	Oppose	No

Comments:

There is NO tobacco in e-liquid. There is Nicotine, but if Nicotine is what classifies it as a tobacco product then the Nicotine Patch, Nicotine Gum, and Nicotine Lozenges should also be classified as tobacco products, they are not. Singling out vape products because there is nicotine in some of them makes no sense when all Pharma products that are to help people also stop smoking do have nicotine. There are several recent studies that prove that vaping has contributed to more people stopping the use of combustible tobacco than any other cessation device on the market. I understand some don't like referring to vaping as a cessation device, but it not only meets the literal definition, it exceeds it when referring to tobacco use. And it does better than any other(s) on the market. Also, 25-30% of e-liquid sold has NO nicotine. As far as hardware goes, a device by itself is nothing. It would be similar to taxing or banning a lighter or matches.

SB-1405-SD-1

Submitted on: 2/25/2019 9:06:38 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jostin Iriarte	Testifying for Hi Lyfe Vaporz, LLC	Oppose	No

Comments:

Dear Chair & Members,

Aloha,

My name is Jostin and I Strongly oppose the Senate Bill 1405 (SB 1405). As a small business owner and active member in the Vape community, I have no doubt that a bill of this magnitude will affect thousands of people in the state of Hawaii that have nothing short of a positive impact in their lives, health, and especially, the purpose of quitting combustible cigarettes. We DO NOT support teenage vaping; WE DO NOT SELL OR MARKET TO ANYONE UNDER THE LEGAL AGE OF AN ADULT PRODUCT; WE COMPLY WITH ALL THE CURRENT STATE AND U.S. FOOD AND DRUG ADMINISTRATION'S (FDA) LAWS AND REGULATIONS. Being a small business owner in Hawaii, my business Hi Lyfe Vaporz, LLC has acquired over 10 active employees. A bill like this will impact our business, as well as, many across the state in a negative manner such as: causing people to lose their jobs and homes, they would be unable to provide for their families, and many may end up going back to combustible cigarettes, which has been proven to be a known negative health factor throughout the world. The FDA has implemented many stringent rules and regulations which makes it very difficult for all the Vape industry's manufactures, and retailers to comply with, as well as stay up to date.

One of the problems with the youth vaping epidemic isn't Flavors, the issue is with enforcement to retailers of age restriction. By completely banning anything in this industry that has helped many adults, it will have a negative impact. Taxes alone from the industry generates a good amount of funding to our state. It's important to understand taking away vaping may greatly impact revenue to the state for health and research, ect.

Bill's like this simply goes against the positive impact vaping has made for all legal adults, who transitioned to a better alternative than combustible cigarettes. I humbly ask to think about this impact before passing such a bill. Myself, my family, as well as our employees, and customers will be greatly affected in a negative way. I am a former smoker of 20 years and I oppose SB 1405 for the simple fact that this bill is unfair in the statement of making Flavors as the being the root cause of the teenage vaping epidemic. That is false. As a former smoker of traditional combustible cigarettes, vaping and its Flavors has helped myself, family members, and friends of legal smoking and

vaping age, (whether it be state age laws or federal) to stay away from and stop smoking cigarettes. Since I've quit smoking and started vaping, having flavors to enjoy while vaping should be a right, as a law abiding citizen that shouldn't be taken away from legal adults. As an adult we should have a choice to vape our preference of flavor!! The vaping epidemic in Hawaii and the USA of teenagers are because of certain devices like "Juul" and similar ones like it being easily accessible through gas stations, convenience stores, ect. At least 90% of actual vape shops have taken part in sales to minors prior to laws being in place it started from 18 years of age now in some states like here in Hawaii its 21. The vape shops, manufactures, and companies that have followed the rules will be getting punished for the fact that the reasons behind the epidemic isn't being directed toward the real issue, which is age enforcement. The product that most of the vaping community disagrees with due to the accessibility in gas stations & convenience stores is what most teens are using because places other than vape shops do not take it seriously when asking for ID. There should be more stings to help aid the root cause & not punishing responsible Vape shops and adults, by taking away something "flavors" or vaping Eliquids etc, has made a huge impact on, by lessening the amount of Traditional tobacco cigarette use state and nationwide. This will greatly urge citizens to go back to combustible cigarettes which is definitely more toxic due to the fact that my own Doctor has told me since I quit smoking cigarettes my health is much better in comparison.

Attachment "A1" is a letter from The FDA Commissioner, Scott Gottlieb. It states that the use of electronic nicotine delivery systems (ENDS) has contributed to a decline of combustible tobacco, which is known to cause cancer. It also clearly states that it intends on limiting flavored cigarettes to age restricted stores, or areas. Also please take a look at Senator Richard Burr in his explanation of what his thought are on this matter here is the link.

https://www.c-span.org/video/?c4777366/senator-burr-floor-speech-fda-ban-menthol-cigarettes&fbclid=IwAR2tx2xiS590W_qe6WHKH6gq-zoelg8tkh57g3f9V61aOjxwX3HfPRq68yM

Here is a statement by Senator Burr

https://www.c-span.org/video/?c4777366/senator-burr-floor-speech-fda-ban-menthol-cigarettes&fbclid=IwAR2z1rLX_JvapjK2KmZUNLe0eW_D_G1AbPiLxgldNRnA--RQOfRFg61DLu8

Mahalo for your time and consideration Jostin Iriarte
jostin@hilyfevaporz.com

SB-1405-SD-1

Submitted on: 2/25/2019 9:08:16 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jostin A Iriarte	Testifying for VapeWithAloha	Oppose	No

Comments:

Dear Chair & Members,

Aloha,

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vaping age, (whether it be state age laws or federal) to stay away from and stop smoking cigarettes. Since I've quit smoking and started vaping, having flavors to enjoy while vaping should be a right, as a law abiding citizen that shouldn't be taken away from legal adults. As an adult we should have a choice to vape our preference of flavor!! The vaping epidemic in Hawaii and the USA of teenagers are because of certain devices like "Juul" and similar ones like it being easily accessible through gas stations, convenience stores, ect. At least 90% of actual vape shops have taken part in sales to minors prior to laws being in place it started from 18 years of age now in some states like here in Hawaii its 21. The vape shops, manufactures, and companies that have followed the rules will be getting punished for the fact that the reasons behind the epidemic isn't being directed toward the real issue, which is age enforcement. The product that most of the vaping community disagrees with due to the accessibility in gas stations & convenience stores is what most teens are using because places other than vape shops do not take it seriously when asking for ID. There should be more stings to help aid the root cause & not punishing responsible Vape shops and adults, by taking away something "flavors" or vaping Eliquids etc, has made a huge impact on, by lessening the amount of Traditional tobacco cigarette use state and nationwide. This will greatly urge citizens to go back to combustible cigarettes which is definitely more toxic due to the fact that my own Doctor has told me since I quit smoking cigarettes my health is much better in comparison.

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Here is a statement by Senator Burr

https://www.c-span.org/video/?c4777366/senator-burr-floor-speech-fda-ban-menthol-cigarettes&fbclid=IwAR2z1rLX_JvapjK2KmZUNLe0eW_D_G1AbPiLxgldNRnA--RQOfRFg61DLu8

Mahalo for your time and consideration Jostin Iriarte
jostin@hilyfevaporz.com

SB-1405-SD-1

Submitted on: 2/25/2019 9:33:29 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
dillon rellez	Testifying for irie hawaii	Oppose	No

Comments:

Hello, I oppose this bill to make shipment of electronic cigarettes illegal because this would cause such a huge outrage, there are many people that smoke and they are totally capable of thinking for themselves and their own health. We do not want to be controlled, we abide by the laws every year and yet they always change. We need to keep things how they are and focus on the more important situations. Thank you for your time.

SB-1405-SD-1

Submitted on: 2/25/2019 9:35:33 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
HANALEI BENN	Testifying for Tobacco LLC	Oppose	No

Comments:

I oppose this bill, not only for myself but the business I work for. I quit cigarettes because I got the vaping option, and for a local business it helps us stay love and help other people by whiching.



American Cancer Society
Cancer Action Network
2370 Nuʻuanu Avenue
Honolulu, Hawaiʻi 96817
808.432.9149
www.acscan.org

Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Glenn Wakai, Vice Chair

Seante Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

SB 1405, SD1 – RELATING TO ELECTRONIC SMOKING PRODUCTS

Cory Chun, Government Relations Director – Hawaii Pacific
American Cancer Society Cancer Action Network

Thank you for the opportunity to provide written testimony in support of SB 1405, SD1, which prohibits the remote sale of e-liquids, increases the license and permit fees for wholesalers, dealers and retailers engaged in the sale of tobacco products and allocates of portion of funds collected from excise taxes on tobacco products to tobacco control programs.

According to data from the Centers for Disease Control and Prevention and the Food and Drug Administration's National Youth Tobacco Survey, the percentage of high school-age children reporting past 30-day use of e-cigarettes rose by more than 75 percent between 2017 and 2018. Use among middle school-age children also increased nearly 50 percent.

The following statistics highlight the problem we are facing.

- In the United States, youth are more likely than adults to use e-cigarettes.
- In 2018, more than 3.6 million U.S. middle and high school students used e-cigarettes in the past 30 days, including 4.9% of middle school students and 20.8% of high school students.
- In 2017, 2.8% of U.S. adults were current e-cigarette users.
- In 2015, among adult e-cigarette users overall, 58.8% also were current regular cigarette smokers, 29.8% were former regular cigarette smokers, and 11.4% had never been regular cigarette smokers.
- Among current e-cigarette users aged 45 years and older in 2015, most were either current or former regular cigarette smokers, and 1.3% had never been

cigarette smokers. In contrast, among current e-cigarette users aged 18–24 years, 40.0% had never been regular cigarette smokers.

Tobacco retail licensing is a policy tool that enables the state to regulate businesses that sell tobacco products to ensure they comply with tobacco laws, to reduce tobacco-related health disparities, and to combat the public health problems that tobacco use causes. Strong tobacco retail license laws are an effective way to limit youth access to tobacco by reducing illegal tobacco sales to youth and young adults. ACS CAN supports updating the state's licensing law and fees and we recommend revenues generated from the license fees be used for enforcement of tobacco control laws.

Thank you for the opportunity to provide testimony on this important matter.

SB-1405-SD-1

Submitted on: 2/25/2019 9:54:44 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

SB-1405-SD-1

Submitted on: 2/25/2019 9:52:39 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Andy Takaaze	Testifying for IRIE Hawaii	Oppose	No

Comments:

I'm opposed to any bans of E-cigarette products. E-cigarettes are proven as one of the most effective ways for cigarette smokers to stop smoking. Whether e-cigarettes are harmful to the consumer is argumentative, but what is clear is there is NO second hand smoke issues. Undue charges and outright bans will in effect move many people back to cigarettes, which seems to be the motivation of bills like these, looks like big tobacco got there hands all up in our legislature. Why would anyone want to hinder people from quitting cigarettes by getting rid of alternative products which in able users to slowly ween themselves of nicotine dependency?

SB-1405-SD-1

Submitted on: 2/25/2019 9:56:45 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mariner Revell	Testifying for Irie Hawaii Stores	Oppose	No

Comments:

I strongly oppose this bill. As a small native Hawaiian owned and operated business we have enough competition from Big Box stores, national convenience stores/gas stations, internet sales, the burden of the heavy regulations, forced insurance coverages, forced fees, the list is endless. As a small business we have a lot of expenses from all angles.

We already pay very high rate of tax on our tobacco products leaving a very small margin of profit to be made. We pay high rates for workers compensation insurance, unemployment insurance, liability insurance, disability insurance, health insurance and so on. It is very hard to make a living in Hawaii, and it is extremely hard running a small business in Hawaii due to all the state and federal regulations, we pay more in forced regulations than rent!!!

Please do not add additional unfair taxes, we are taxed to death as it is. I strongly oppose this bill. Thank you for your consideration.

LATE

Date: Feburuary 25, 2019

To: The Honorable Karl Roads, Chair
The Stanley Glenn Wakai, Vice Chair
Senate Committee on Judiciary

The Honorable Donovan M. Dela Cruz
The Gilber S.C. Keith-Agaran
Senate Committee on Ways and Means

Re: Strong Support of SB1405, Relating to Electronic Smoking Products

Hrg: Tuesday, February 26, 2019 at 10:05am at Capitol Room 211

Good morning to the members of the Senate Committee on Judiciary and Senate Committee on Ways and Means. Thank you so much for the opportunity to submit testimony in SUPPORT of SB1405. My name is Chelsea Gonzales, and I'm a Senior at the University of Hawaii at Manoa. I'm majoring in Public Health and currently the President for Breathe Aloha, a student registered independent organization dedicated to promoting positive health practices and protect University of Hawaii students, employees, and visitors from exposure to secondhand smoke and other potentially harmful substances.

We respect the fact that there are adults that choose to use e-cigarettes, and this bill isn't to restrict them. This is instead about making sure that we can keep these products out of the hands of middle schoolers and high schoolers. Our keiki will be a generation addicted to these products unless we take action now. And I have had the opportunity to talk to too many classmates who believe not only that these products are a safer alternative to cigarettes, but that these products are harmless.

If you believe that we need to address it, this bill will provide a direct benefit. With funds going to the Hawaii tobacco prevention and control fund, the public health community can go into schoolers and carry out the outreach that we need to educate our keiki. If you believe that public health's fight against traditional cigarettes has been effective over the past decades, give us the resources we need now, more than ever, to fight against e-cigarettes that are owned by these same tobacco companies.

We have and will continue to support tobacco prevention legislation because we firmly believe that nothing good ever comes from smoking. As an organization that has seen too many classmates use these products under the false pretense of these products being safe, I respectfully ask you to move this measure.

Mahalo,
Breathe Aloha Club at UH Manoa



February 25, 2019

LATE

To: The Honorable Senator Karl Roads, Chair
The Honorable Senator Glenn Wakai, Vice Chair
Members, Senate Committee on Judiciary

The Honorable Senator Donovan M. Dela Cruz, Chair
The Honorable Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members, Senate Committee on Ways & Means

From: Cory Smith, VOLCANO Fine Electronic Cigarettes®
CEO and Owner

RE: SB 1405 SD1 – oppose.

Thank you for the opportunity to submit testimony.

VOLCANO Fine Electronic Cigarettes® is the largest independent retailer & wholesaler of vapor products and vaping accessories in the State of Hawaii. We currently own and operate 16 locations statewide and employ over 110 full-time workers to support sales of our products not only here in Hawaii, but to all 50 states as well as over 30 International countries. We stand in opposition to SB 1405 SD1 for the following:

- Vapor products and e-liquids contain NO tobacco, often times contain NO nicotine, and ultimately emit NO smoke when vaporized; yet **SB 1405 SD1 deceptively refers to vapor products as “Electronic Smoking Devices”** to mislead the public and creates a false perception of the nature of these products. This misclassification establishes the idea that vapor products are the same as tobacco products and thus, should be viewed, controlled, and perceived the same way as traditional tobacco products. This is a complete disregard of the fact that vapor products are fundamentally different from tobacco products in every way.
- **SB 1405 SD1 states in its justification that the bill and its regulations are needed to curb youth usage.** It states “The Surgeon General's report noted that e-cigarette use has increased considerably in recent years, growing an astounding nine hundred percent among high school students from 2011 to 2015”. **However, it fails to mention the latest available CDC report that shows youth use of all tobacco products, including e-cigarettes are at the lowest levels ever. Furthermore, a study done the following year at the University of Michigan found that the majority of youth who have reported using e-cigarettes are not using e-liquids that contain nicotine** - further suggesting that youth who do use e-cigarettes are doing so to replace the use of traditional tobacco.
 - <https://www.cdc.gov/media/releases/2017/p0615-youth-tobacco.html>



VOLCANO[®]

- <https://www.psc.isr.umich.edu/events/archive/feature-detail/1833>
- The most Recent CDC report has shown e-cigarettes have supplanted all other traditional nicotine replacement therapies and are now the most commonly used product by consumers to quit using traditional tobacco cigarettes
 - http://www.journalnow.com/business/business_news/local/cdc-report-shows-more-smokers-try-to-quit-with-e/article_a33383f3-5300-5178-9f14-28b52884c45c.html
- A recent study published by the New England Journal of Medicine concluded that E-Cigarettes are twice as effective for smoking cessation than traditional nicotine replacement therapy products which are not taxed or controlled the same way this bill proposes to tax and control E-Cigarettes. The state should be creating easier access for these products, not tighter regulations that steers vapers back towards tobacco cigarettes
 - <https://www.nejm.org/doi/full/10.1056/NEJMoa1808779>
- A recent study by the National Academy of Sciences, Engineering, and Medicine stated: "there is conclusive evidence that completely substituting e-cigarettes for combustible tobacco cigarettes reduces users' exposure to numerous toxicants and carcinogens present in combustible tobacco cigarettes." The findings add to the already weighty body of evidence showing vaping to be far less hazardous than smoking.
 - <http://www.washingtonexaminer.com/landmark-e-cigarette-report-explodes-myth-that-vaping-is-as-toxic-as-smoking/article/2646804>
 - http://nationalacademies.org/hmd/reports/2018/public-health-consequences-of-e-cigarettes.aspx?utm_source=Hootsuite&utm_medium=Dashboard&utm_campaign=SentviaHootsuite
 -
- SB 1405 SD1 States in its justification that the use of licensing and permit fees will help "protect consumers, such as requiring retailers of e-liquids to obtain a retail tobacco permit". **We fail to see how requiring retailers to obtain a permit will translate to 'protecting the public'.** Rather, it will simply burden the 50+ small businesses operating in the vapor products industry with unnecessary fees and bureaucratic hurdles.
- SB 1405 SD1 would amount to a 9900% increase in licensing fees. This is a highly unreasonable increase that will result in a significant financial burden for all retailers included in the bills definition.
- Vapor Products are not the same as tobacco products, and thus, should not be regulated in the same fashion. Vapor products have not been demonstrated to have the same detrimental effects of combustible tobacco products and have otherwise been shown in recent studies to be as much as 95% less toxic than traditional Cigarettes. **Creating extraneous regulations that aim to limit access only serves to protect deadly tobacco markets.**
 - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457102/E-cigarettes_an_evidence_update_A_report_commissioned_by_Public_Health_England_FINAL.pdf



VOLCANO®

- **SB 1405 SD1's justification states that without taxing vapor products, "smokers may be tempted to purchase less expensive products such as e-liquid". This is false. Virtually all e-cigarette starter kits and bottles of e-liquid are already higher priced in comparison to tobacco cigarettes.** An average reusable electronic cigarette starter kit ranges in price from \$30 to upwards of \$300 depending on the device. Furthermore, a 15ml bottle of e-liquid (the smallest bottle size currently offered) is currently retailed at \$12.99 at all of our locations, which is nearly 33% more costly than a standard pack of cigarettes, yet it provides nearly the same amount of puffs.
- **Most troubling is the fact that by subjecting vapor products to this proposed tax, the additional costs to consumers will likely result in the state seeing less tax revenue, and even worse, former smokers returning to tobacco use. The tax will result in current vapor users purchasing from online vendors who would not be subject to state taxes. Local manufacturers, wholesalers and retailers would be put at a massive competitive disadvantage and most retail customers would send their money out-of-state effectively lowering the tax revenue already being generated by sales of vapor products here in the state.** We would be unable to compete in other out-of-state and international markets with competitors who are not subjected to the same tax, which would put our local operations in severe jeopardy meaning an immediate loss of jobs and existing revenues. This bill would also effectively reduce access to a modified risk product that has been a public health win and would simply prop up and protect the proven deadly tobacco market.

It is our belief that this continuing unjustified classification and requirements are not in the best interests of the State of Hawaii. Thank you for your time and consideration. If you have any questions, please feel free to contact me directly.

Sincerely,
Cory N. Smith
CEO & Owner
VOLCANO Fine Electronic Cigarettes®
1003 Bishop Street #1260
Honolulu, HI 96813
cory@volcanoecigs.com



LATE

**American Heart Association testimony in SUPPORT of SB 1405,
Relating to Electronic Smoking Products**

Chairman of the Board
Mark Yamakawa

President
Kahealani Rivera, MD

Board Members
Rick Bruno, MD, FACEP
Brandt Farias
Mimi Harris
David Honma
Glen Kaneshige
Brandon Kurisu
Howard Lee
Michael Lui, MD
Kazuma Nakagawa, MD,
FAAN, FAHA
Barbara Petrus
Andrew Rosen
Dave Underriner
Elisa Yadao

Serving Hawaii since 1948

Mission Statement:
"To be a relentless force for a
world of longer, healthier
lives."

For more information on the
AHA's educational or
research programs, visit
www.heart.org or contact your
nearest AHA office.

Office: (808) 377-6630
Fax: (808) 524-0556

Neighbor Islands:
Served by the Oahu office

The American Heart Association supports SB 1405 which makes unlawful shipment of E-liquid products to anyone other than a licensee or permittee, includes e-liquid within the definition of "tobacco products" within existing cigarette tax and tobacco tax state law, increases the license fee for wholesalers or dealers and the retail tobacco permit fee, and allocates a portion of the tobacco tax revenue into the State Tobacco Prevention and Control Trust Fund.

While Federal law already prohibits the delivery and shipment of cigarettes, adding a state restriction on the direct delivery and shipment of electronic smoking devices to consumers would help to close the online sales loophole of those products and help to protect Hawaii's youth from unscrupulous marketers of those products.

Internet sales of tobacco products and e-cigarettes are a significant public health concern because they evade state taxes and significantly undermine tobacco control efforts. In Hawaii, it is currently illegal to sell tobacco products, including e-cigarettes, to those under the age of 21. Hawaii's age to 21 law plays a critical role in preventing youth initiation and addiction to tobacco products, yet internet sellers can circumvent this restriction by providing easy access to these products.

E-cigarettes are now the most popularly used tobacco product among Hawaii's youth. According to recent Department of Health data, approximately 42 percent of Hawaii's youths have tried e-cigarettes, and 25 percent are now regular users. On neighbor island, regular use of e-cigarettes by youths tops 30 percent. This is concerning because e-cigarettes often contain nicotine and serve as a gateway to traditional cigarette use. Recent studies also indicate

that e-cigarettes produce the same cardiovascular and respiratory risks as traditional cigarettes. A study presented at the American Stroke Association's International Stroke Conference held last week at the Hawaii Convention Center finds that using e-cigarettes may increase the odds of having a stroke, heart attack and coronary heart disease. The researchers found compared with non-users, e-cigarette users had:

- 71 percent higher risk of stroke;
- 59 percent higher risk of heart attack or angina;
- 40 percent higher risk of coronary heart disease; and
- Double the rate of cigarette smoking.

By adding e-liquid within the definition of the state's "tobacco products" it would apply the tobacco tax to those products. This would have the greatest impact on reducing e-cigarette use rates among the youth market, which is more price sensitive, and which is the most highly targeted by tobacco industry marketing and advertising.


In Hawaii, tobacco use claims 1,400 lives each year and creates \$526 million in annual health care costs (\$141.7 million of that is covered by the state Medicaid program). Hawaii residents' state & federal tax burden from tobacco-caused government expenditures is \$836 per household. Hawaii's estimated tobacco tax and license revenue, estimated to be almost \$138.8 million does not come close to offsetting the losses to the state caused by tobacco use. Tobacco use declines related to state taxes directly reduce these smoking-caused economic burdens for all taxpayers, and Hawaii businesses which bear the brunt of employee healthcare costs in our state.

The tobacco industry spends an estimated \$25.5 million each year marketing its products in Hawaii. Hawaii's \$5.3 million investment in tobacco prevention, control and cessation programs pale in comparison, and fall well short of the Centers for Disease Control's (CDC) best practice recommendation of a \$13.7 million annual investment. Allocating revenue generated from taxing tobacco products to community prevention, education and cessation programs would help to increase the desired impact of this legislation by further reducing the

use of electronic smoking devices by our youth and most health vulnerable populations.

The American Heart Association urges you to correct the loophole in our state's age restriction, taxation, and public health laws. It is imperative to continue to curtail tobacco use in any form, especially among our youth, if we are to control our state's healthcare costs and keep its Pre-Paid Healthcare law sustainable.

Please support SB 1405, SD1.

Respectfully submitted,


Donald B. Weisman
Hawaii Government Relations/Communications Director



LATE

**TESTIMONY OF TINA YAMAKI
PRESIDENT
RETAIL MERCHANTS OF HAWAII
February 26, 2019**

Re: SB 1405 SD1 Relating to Electronic Smoking Products

Good morning Chairperson Rhoads and Chairperson Dela Cruz and members of the Senate Committee on Judiciary and the Committee on Ways and Means. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii (RMH) as founded in 1901 and is a statewide, not for profit trade organization committed to the growth and development of the retail industry in Hawaii. The retail industry is one of the largest employers in the state, employing 25% of the labor force.

We OPPOSE SB 1405 SD1 Relating to Electronic Smoking Products. This bill would establish the offense of unlawful shipment of e-liquid products; include e-liquid within the definition of "tobacco products", as used in the cigarette tax and tobacco tax law; increase the license fee for persons engaged as a wholesaler or dealer of cigarettes and tobacco products; increase the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes and tobacco products; allocate a portion of funds collected excise taxes on tobacco products to health education and prevention programs about the risks and dangers of the use of electronic smoking devices for youth; and repeals certain provisions of the Hawaii Revised Statutes relating to electronic smoking devices.

It is not fair to categorize vapor products and e-liquids as a tobacco product. They are not the same. E-cigarettes contains NO tobacco and NO smoke is emitted when vaporized. The New England Journal of Medicine published an article recently found that e-cigarettes were nearly twice as effective as conventional nicotine replacement products, like patches and gum, for quitting smoking. The study was conducted in Britain and funded by the National Institute for Health Research and Cancer Research UK.

Retail has changed over the years in how products are purchased. We are seeing a surge in online sales for all types of merchandise. It almost impossible for anyone under the age of 21 to purchase vape products locally online or at a brick and mortar store. The online verifications vetting process is intense to ensure those purchasing are 21 or older and retailers do check IDs. We are seeing that the vape products are being purchased by those who are legitimately 21 and older like parents, friends and siblings and then they gift the product to those under 21. Once the product leaves the store, we have no control over who it is given to. We are also aware that organized crime sells products on the black market - where people are reselling stolen items and not caring what the age the person it purchasing it.

Many retailers statewide are already operating on a thin margin and face stiff competition. Raising the tobacco tax and permit fee will truly hurt locally owned businesses, especially the small locally owned businesses' and may potentially force some of them to close. This would mean the convenient corner store would be gone and leaving people out of work.

We should be focused more on those how those under 21 are obtaining these products and who are selling these items illegally and on the black market.

We urge you to hold this measure. Mahalo for this opportunity to testify.

Date: Feburuary 25, 2019

To: The Honorable Karl Roads, Chair
The Stanley Glenn Wakai, Vice Chair
Senate Committee on Judiciary

LATE

The Honorable Donavan M. Dela Cruz
The Gilbert S.C. Keith-Agaran
Senate Committee on Ways and Means

Re: Strong Support of SB1405, Relating to Electronic Smoking Products

Hrg: Tuesday, February 26, 2019 at 10:05am at Capitol Room 211

Thank you for the opportunity to submit testimony in SUPPORT of SB1405, which includes e-liquid within the definition of "tobacco products", as used in the cigarette tax and tobacco tax law. The Student Health Advisory Council has played a pivotal role in the development and implementation of health policies and tobacco education on the UH System campuses. We remain deeply committed to the mission of reducing the use of tobacco products, including electronic smoking devices, among adolescents and young adults.

With products like Juul and other popular electronic smoking devices, it is increasingly clear that these products are addicting a whole generation of youth to a harmful product. The Surgeon General has gone so far as to declare youth e-cigarette use an epidemic, and that there is an urgent need to protect children from a lifetime of nicotine addiction and associated health risks.

According to the Hawaii Department of Health, 45 percent of high school students and 26 percent of middle schoolers across our state use e-cigarettes. This underscores the severity with which e-cigarette use has penetrated our state's middle and high schools.

Under the Food and Drug Administration, electronic smoking devices are classified as a tobacco product, and yet they are the only product with that classification that does not have a tobacco tax. From the many decades of research done on tobacco control policy, it is clear that increasing the price of these products is a proven strategy that discourages access to these products, especially among youth.

We therefore urge you to support this measure. For the sake of our keiki and general public health, Hawaii should not allow e-cigarettes to continue to fly below the state's tobacco tax radar.

Mahalo,
Student Health Advisory Council

SB-1405-SD-1

Submitted on: 2/25/2019 3:56:55 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Zehner	Testifying for Hawaii Smokers Alliance	Oppose	No

Comments:

We are strongly opposed to this grossly unfair and excessive bill. The regulations are already ridiculous.

SB-1405-SD-1

Submitted on: 2/22/2019 6:11:23 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann Chung	Individual	Oppose	Yes

Comments:

Aloha Chairs

Thank you for the opportunity to testify.

I humbly ask you to consider creating a WORKING GROUP including LOCAL small businesses that are impacted by this and other legislation regarding e-cigarette usage to come up with appropriate policies to ensure that our keiki are not going to use e-cigarettes. Speaking with many local small mom & pop vape shops, it is clear that NO ONE wants our under-age youth to vape and they are eager to work with organizations like the DOE to address youth vaping. Banning electronic devices and e-liquids will NOT solve the problem. Kids will still be able to access these through the internet because most of the small businesses do not sell on the internet. Banning e-cigarettes/e-liquid will only hurt our local small businesses.

This bill, while well-intentioned is NOT the solution and has very negative unintended consequences.

1. NOT ALL E-LIQUIDS CONTAIN NICOTINE

I started at the highest level of nicotine (over 24 mg) and am now at ZERO nicotine. If you ask many of the local vape shops, their biggest sellers are 0 and 3 mg.

2. E-LIQUIDS ARE NOT TOBACCO

Those against e-liquids consistently mix-up the terms “tobacco”, “nicotine” and “e-liquids”. E-liquids are flavored fluid that produce vapor.

3. BANNING E-LIQUIDS WILL DECIMATE HAWAII’S LOCAL MOM & POP STORES

Anecdotally, there are about 200 local vape shops in Hawaii – each with about 10 employees. Banning e-liquids will close these local businesses, cause about 2000 workers to lose their jobs, and significantly reduce tax revenues to the state.

4. LOCAL VAPE STORES DO NOT WANT KIDS VAPING

Local vape owners have already followed FDA regulations and have re-packaged their products. They are all interested in working with organizations like the DOE to educate our keiki about vaping.

5. **BANNING E-LIQUIDS WILL CAUSE ADULTS TO GO BACK TO CIGARETTES**
According to a study by the International Journal of Environmental Research & Public Research, a ban will cause adults who successfully stopped smoking cigarettes by using flavored e-liquids – to go back to smoking cigarettes. This is a terrible unintended public health consequence of this bill.

SB-1405-SD-1

Submitted on: 2/23/2019 9:25:04 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Betty Sestak	Individual	Support	No

Comments:

SB-1405-SD-1

Submitted on: 2/23/2019 11:42:01 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Colleen Inouye	Individual	Support	No

Comments:

Chairs Rhoads and Dela Cruz, Vice Chairs Wakai and Keith-Agaran, and Members of the Senate Committee on Judiciary and Committee on Ways and Means,

I strongly support SB1405 SD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

The US Surgeon General declared vaping/e-cigarettes use an epidemic among the youth population. In just one year the use of e-cigarettes among teens has increased from 27.8 to 37.3%. I know from my own Maui patients that if we stop the use of e-cigarettes and vaping among teens we will not see the progression to other nicotine-containing products. Vaping seems to be the product of choice of teens. When I ask my twenty-old patients about vaping, they laugh. They reply, "that's for kids." 52% of Maui teens have tried vaping at least once. We need to make it more difficult for young patients to obtain these electronic smoking devices and make it more difficult for companies to sell these products.

As the Surgeon General stated, "we need to protect our children from a lifetime of nicotine addiction and associated health risks by addressing the epidemic of youth e-cigarette use." Stop the addiction now or pay for higher healthcare costs in the future.

I strongly support SB1405 SD1 and ask you to pass this out of committee. Please protect our young people.

Sincerely,

Colleen F Inouye MD MMM FAAPL FACOG Jefferson Population Health

Date: February 22, 2019

To: The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice Chair
Members of the Senate Committee on Judiciary

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Senate Committee on Ways and Means

Re: **Strong Support of SB1405 SD1**, Relating to Electronic Smoking Products

Hrg: February 26, 2019 at 10:05 AM in Capitol Room 211

Aloha Senate Committees on Judiciary, and, Ways and Means,

I am writing in **strong support of SB1405 SD1**, which regulates electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, as well as licensing and permitting. In addition, it appropriates \$200,000 to tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is now in the midst of a youth vaping epidemic, with 25.5 percent of high school and 15.7 percent of middle school students vaping regularly. To put this into perspective, 4.3 percent of adults in Hawai'i vape.

We must regulate these products now to reverse this threat to the health of our youth.

Nearly all e-liquids, and all of the most popular ESDs among our youth, contain nicotine derived from tobacco plants. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Increasing tobacco prices through taxes is a proven strategy to reduce youth use.

Establishing ESD licensing and permitting requirements identifies the retail establishments selling these products, allowing state agencies to readily and effectively communicate regulatory changes, product recalls and other important information to retailers.

I greatly appreciate that a portion of revenues generated from the ESD and e-liquid tax will be dedicated to tobacco prevention, cessation and education programs, and help support individuals who want to quit. In addition, restricting online sales to only retailers with a tobacco license will prevent sales to youth.

I **strongly support SB1405 SD1** and respectfully ask you to pass this bill out of committee.

Many thanks for your consideration,

Forrest Batz, PharmD
Kea'au, HI

SB-1405-SD-1

Submitted on: 2/23/2019 1:37:03 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ricky Alaniz	Individual	Oppose	No

Comments:

I oppose to this bill. I been a smoker for years and recently quit by using Vapes and ELiquids. This is safer and healthier way. Please do not take this away for it is not only getting people to quit smoking but it is also cleaning our environment from cigarette butts, rubbishy etc.

SB-1405-SD-1

Submitted on: 2/23/2019 1:50:05 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Katelyn Kapua	Individual	Oppose	No

Comments:

SB-1405-SD-1

Submitted on: 2/23/2019 1:24:14 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
ASHLEY MATTOS	Individual	Oppose	No

Comments:

SB-1405-SD-1

Submitted on: 2/23/2019 10:33:04 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Santiago	Individual	Oppose	No

Comments:

SB-1405-SD-1

Submitted on: 2/24/2019 12:40:24 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
C. Azelski	Individual	Support	No

Comments:

Regulating electronic smoking devices (ESDs), also called e-cigarettes, is necessary to protect public health and prevent youth initiation and nicotine addiction. In 2016, ESDs were deemed as tobacco products by the FDA yet federal rulemaking to protect public health has been delayed. Here in Hawai'i, ESDs continue to be the only tobacco product without a tobacco tax and a requirement to obtain a tobacco permit or license.

SB-1405-SD-1

Submitted on: 2/24/2019 1:21:04 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Clayton Silva	Individual	Oppose	No

Comments:

SB-1405-SD-1

Submitted on: 2/24/2019 10:16:36 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jason Park	Individual	Oppose	No

Comments:

SB-1405-SD-1

Submitted on: 2/24/2019 6:18:30 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael S. Nakasone	Individual	Oppose	No

Comments:

SB-1405-SD-1

Submitted on: 2/24/2019 5:44:23 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Wells	Individual	Oppose	No

Comments:

e-cigs help people quit smoking. This bill will hurt those efforts.

SB-1405-SD-1

Submitted on: 2/24/2019 8:35:58 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaimana Brummel	Individual	Support	No

Comments:

SB-1405-SD-1

Submitted on: 2/24/2019 8:02:43 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nicholas Winters	Individual	Oppose	No

Comments:

A vastly unfair bill. People have the right to choose.

SB-1405-SD-1

Submitted on: 2/24/2019 10:24:03 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kirstin Kahaloa	Individual	Support	No

Comments:

Aloha! This is bill is about the health and well-being of our community. Please support this so that our state can live longer, healthier lives and so that the state can incorporate these items in the cigarette and tobacco taxes. Mahalo for your SUPPORT!

SB-1405-SD-1

Submitted on: 2/25/2019 8:27:20 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
VALENTINO MIRANDA-KEPA	Individual	Oppose	No

Comments:

Aloha Board,

I strongly oppose Bill SB-1405. I feel like increacing taxes is not the answer we already pay top dollar for our products. All these bills trying to ban/raise tax/750ft buffer on public schools would not be neede if there is a POSSESSION LAW FOR UNDER AGE USE. I feel like if the youth got in trouble for under age smoking/vaping the numbers would decrease dramsitcly.

Aloha,

Valentino Miranda-Kepa

SB-1405-SD-1

Submitted on: 2/25/2019 5:45:15 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sean Higa	Individual	Oppose	No

Comments:

SB-1405-SD-1

Submitted on: 2/25/2019 8:59:46 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jostin A Iriarte	Individual	Oppose	No

Comments:

Aloha Chair & Members.

My name is Jostin,

I oppose Senate Bill 1405 finding it is unreasonable many of us "legal adults" who transitioned from combustible cigarettes ,the fact is most don't understand most "ENDS" PRODUCTS are costly to begin with! As far as taxes I personally feel that yes it would be okay to tax the products "eliquids" that actually contain nicotine & not products that doesn't contain nicotine like "ENDS".

Taxing Eliquids containing nicotine can help in funding more research and enforcement towards stores who aren't maintaining compliance on a regular basis . By doing so this may reduce the teenage vaping epidemic. By raising taxes it won't have a positive effect on individual, there is the possibility that some may turn to other recreational products, but if in all fairness taxes are implemented in a fair manner it can have a positive affect.

To ban the shipment of eliquid & causing it to be a CLASS C-FELONY is absurd, especially to businesses who practice proper guidelines Ruled by the FDA, for instances age verification process on certain websites.

As far as tobacco permits go I've seen most shops acquire a tobacco permit already. Increasing tobacco license fee is okay in a fair manner not to completely shut down small businesses. As far as some of the Bans that is trying to pass our legislation some are fair and some are ridiculously absurd.

Mahalo for your time and Consideration

SB-1405-SD-1

Submitted on: 2/25/2019 9:17:37 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
ellen benton	Individual	Oppose	No

Comments:

Aloha Board,

I strongly oppose Bill SB-1405. I feel like increacing taxes is not the answer we already pay top dollar for our products. All these bills trying to ban/raise tax/750ft buffer on public schools would not be neede if there is a POSSESSION LAW FOR UNDER AGE USE. I feel like if the youth got in trouble for under age smoking/vaping the numbers would decrease dramsitcly.

Aloha,

Ellen Benton

SB-1405-SD-1

Submitted on: 2/25/2019 9:30:22 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Hoku	Individual	Oppose	No

Comments:

SB-1405-SD-1

Submitted on: 2/25/2019 9:29:18 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Robin Iriarte	Individual	Oppose	No

Comments:

Aloha Chair and Members, my name is Robin Iriarte and I strongly oppose SB1405. Having retail sales online is a convenience a lot of my customers use whom cannot make it to the shop during normal business hours due to work. By taking this away it would be hard for our individuals that have no other result to go to regular convenience stores and resort back to traditional ciggarettes. Many Customers have been able to kick the habit and switch over to a less harmful resource as a gateway to quit smoking completely. May I also point out that we as business owners have a multistep process when it comes to online sales to ensure it it not getting into the hands of minors. With that being said I would like to ask that this bill not go into effect. It would case employees to lose their jobs if there is no business.

SB-1405-SD-1

Submitted on: 2/25/2019 9:31:43 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Stevenson	Individual	Oppose	No

Comments:

Aloha All,

I strongly oppose SB1405. I do not agree with making it illegal to ship to persons other than a licensee holder of a tobacco permit. I work at Hilyfe Vaporz in Waiane and this would take a huge amount of revenue from us. We depend on that revenue to remain open and keep educating vapers of the regulations that come up for vaping. We educate our customers on vaping in public simple manners to uphold while vaping in public as well. We also educate customers on bills that come up each year. Though I am to a degree for taxing the vape industry they need to be reasonable. I am also for teaching the youth about the risks of vaping when they are of age to choose. We at Hilyfe Vaporz has reached out to schools in our area to come and educate students but with no return call or messages back. I am for the education but we want to ensure that they receive the correct information, the current stereotype and just plain false information going around about vaping both mainland and in state. I oppose Sb1405.

mahalo for you time

SB-1405-SD-1

Submitted on: 2/25/2019 9:36:59 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jericho Tobin	Individual	Oppose	No

Comments:

I have not once seen a store sell items prohibited to minors or the sale of electronic smoking devices be promoted to minors. I've used them to quit cigarettes and lead a healthier lifestyle. I oppose these bills!

SB-1405-SD-1

Submitted on: 2/25/2019 9:31:55 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
puna	Individual	Oppose	No

Comments:

Aloha

my name is Puna and I'm opposing to bill number sb1405 due to the simple fact that I'm a everyday vaper and vaping actually changed my health drastically. I love trying new products that I'm able to shop in it helps my product knowledge and it creates friendships from people around the world. Also being a newly opened shop employee if this bill gets accepted I won't be able to import or export our devices. Also being sponsored by a liquid company that is locally manufacturing liquids in their own ISO8 lab in Waianae will not be able to ship our liquids world wide. For that company it will really hurt them due to the fact that they have worked so hard to be where they are at now. Me personally it'll hurt me as a shop employee because I enjoy supporting other shops world wide trying their products and liquids that other local shops don't have. In the vape community many people like ordering online it gives a wider selection of products which is what keeps all us vapers connected and helps shop owners expand.

Mahalo for your time

SB-1405-SD-1

Submitted on: 2/25/2019 9:41:51 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonah K Manuel	Individual	Oppose	No

Comments:

Aloha Board,

I strongly oppose Bill SB-1405. I feel like increacing taxes is not the answer we already pay top dollar for our products. All these bills trying to ban/raise tax/750ft buffer on public schools would not be neede if there is a POSSESSION LAW FOR UNDER AGE USE. I feel like if the youth got in trouble for under age smoking/vaping the numbers would decrease dramsitcly.

Aloha,

Jonah Manuel

SB-1405-SD-1

Submitted on: 2/25/2019 9:37:09 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann Hayashi	Individual	Support	No

Comments:

SB-1405-SD-1

Submitted on: 2/25/2019 9:44:16 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Randi Derego	Individual	Oppose	No

Comments:

Aloha Board,

I strongly oppose Bill SB-1405. I feel like increacing taxes is not the answer we already pay top dollar for our products. All these bills trying to ban/raise tax/750ft buffer on public schools would not be neede if there is a POSSESSION LAW FOR UNDER AGE USE. I feel like if the youth got in trouble for under age smoking/vaping the numbers would decrease dramsitcly.

Aloha,

Randi Derego

SB-1405-SD-1

Submitted on: 2/25/2019 9:48:40 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
LINA	Individual	Oppose	No

Comments:

I smoked for 17 years and quit using electronic cigarettes and sour worms vape liquid

SB-1405-SD-1

Submitted on: 2/25/2019 9:47:39 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
naomi muronaka	Individual	Oppose	No

Comments:

SB-1405-SD-1

Submitted on: 2/25/2019 9:49:20 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Takitani Leahey	Individual	Support	No

Comments:

I strongly feel that ESDs, which are defined as tobacco products federally and through our state law, be taxed the same as traditional tobacco products. There is no reason they wouldn't be taxed the same way.

SB-1405-SD-1

Submitted on: 2/25/2019 9:54:27 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tania Faris	Individual	Oppose	No

Comments:

Aloha Board,

I strongly oppose Bill SB-1405. I feel like increacing taxes is not the answer we already pay top dollar for our products. All these bills trying to ban/raise tax/750ft buffer on public schools would not be neede if there is a POSSESSION LAW FOR UNDER AGE USE. I feel like if the youth got in trouble for under age smoking/vaping the numbers would decrease dramsitcly.

Aloha,

Tania Fraiss

SB-1405-SD-1

Submitted on: 2/25/2019 9:56:36 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
DOC	Individual	Oppose	No

Comments:

I smoked for 20 years and quit using electronic cigarettes and sour worms flavored vape liquid.

2/23/2019

Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

To the Senate Committee on Judiciary and Committee on Ways and Means

The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice Chair
Members of the Senate Committee on Judiciary

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Senate Committee on Ways and Means

Hrg: February 26, 2019 at 10:05 AM at Capitol Room 211

I strongly support SB1405 SD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

As a pediatrician, I am worried that Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend.

ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

Mahalo,
Cristeta Ancog
Aiea, HI 96701

2/22/2019

Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

To the Senate Committee on Judiciary and Committee on Ways and Means

The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice Chair
Members of the Senate Committee on Judiciary

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State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD1 and ask you to pass this out of committee. Although banning these devices would be best for health.

Mahalo,
Patricia Blair
Kailua, HI 96734

2/23/2019

Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

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I strongly support SB1405 SD1 and ask you to pass this out of committee

Respectfully Submitted,

Patricia Fleck
Kailua Kona, HI 96740

2/25/2019

Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

To the Senate Committee on Judiciary and Committee on Ways and Means

The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice Chair
Members of the Senate Committee on Judiciary

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Senate Committee on Ways and Means

Hrg: February 26, 2019 at 10:05 AM at Capitol Room 211

Please help keep vaping products out of the hands of our youth. I strongly support SB1405 SD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Linda Kim
Honolulu, HI 97817

2/23/2019

Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

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The Honorable Glenn Wakai, Vice Chair
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State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD1 and ask you to pass this out of committee.

www.WeAreOne.cc

Mahalo,
Joseph Kohn
Wailuku, HI 96793

2/23/2019

Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

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Members of the Senate Committee on Ways and Means

Hrg: February 26, 2019 at 10:05 AM at Capitol Room 211

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State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD1 and ask you to pass this out of committee.

I am a RN in the ED in Maui and have seen just how much this is affecting our youth. These companies are targeting youth just as the tobacco companies did. They sell fruity flavors, have advertisements out stating it's a safe alternative to smoking and glorify the use. Children can order these products online without any parental consent. Something needs to be done.

Mahalo,
Erica Meyer-agonoy
Wailuku, HI 96793

2/23/2019

Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

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Members of the Senate Committee on Ways and Means

Hrg: February 26, 2019 at 10:05 AM at Capitol Room 211

As a pediatrician in Honolulu and medical director of the Kapi'olani Smokefree Families Tobacco & Nicotine Cessation Program, I strongly support SB1405 SD1, which would regulate electronic smoking devices (ESDs) and e-liquids.

Electronic smoking devices (also known as vape devices) are clearly products meant to approximate the use of cigarettes and other tobacco products. Electronic smoking devices take a mixture of chemicals, including nicotine, and vaporize it at high temperatures. These devices emit nicotine byproducts and a variety of other chemicals, and they have not been fully studied in regards to safety. E-cigarette vapor has been shown to include carcinogens and toxins including nicotine, nitrosamines, diethylene glycol, formaldehyde, and acetaldehyde. The U.S. Food and Drug Administration has exhibited concern regarding the safety of electronic smoking devices as well.

E-cigarette use or vaping among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawai'i have decreased through the years, ESD use has rapidly increased, threatening significant public health gains made over the last decade. This is particularly concerning because e-cigarettes provide a new way to deliver highly addictive nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids.

Without regulation, e-cigarette manufacturers will continue to aggressively market their products by using young adults and celebrities as endorsers, glamorizing its use, promoting deep discounts, and offering popular local e-liquid flavors such as Kona coffee, Maui mango, and pineapple.

ESDs are the only tobacco product without a tobacco tax and increasing the price is a proven strategy that discourages access to these products. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

Please do not let vaping continue to go unregulated in Hawai'i. Thank you for your consideration and support of SB1405 SD1.

Sincerely,

Bryan Mih, MD, MPH, FAAP
Pediatrician
Honolulu, HI 96822

2/22/2019

Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

To the Senate Committee on Judiciary and Committee on Ways and Means

The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice Chair
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The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Senate Committee on Ways and Means

Hrg: February 26, 2019 at 10:05 AM at Capitol Room 211

Vaping is a scourge on our children and schools, a real gateway to much more harmful drugs.

I strongly support SB1405 SD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Nathan Sadowski
Kaneohe, HI 96744

2/25/2019

Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

To the Senate Committee on Judiciary and Committee on Ways and Means

The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice Chair
Members of the Senate Committee on Judiciary

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Senate Committee on Ways and Means

Hrg: February 26, 2019 at 10:05 AM at Capitol Room 211

As a mother and an individual deeply concerned about public health, I strongly support SB1405 SD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Marti Townsend
Honolulu, HI 96819

2/23/2019

Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

To the Senate Committee on Judiciary and Committee on Ways and Means

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The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Senate Committee on Ways and Means

Hrg: February 26, 2019 at 10:05 AM at Capitol Room 211

ANYTHING that can be done to regulate and curtail use of electronic smoking devices is essential at this time. The tobacco in these products is SO much more concentrated than in regular cigarettes! And these devices are so much more addicting, especially with product advertising, etc. being aimed at hooking youth - this is extremely dangerous!

I strongly support SB1405 SD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD1 and ask you to pass this out of committee and help us to regulate this epidemic in our state,

Mahalo!
Colleen Wallace
Makawao, HI 96768

2/24/2019

Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

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Hrg: February 26, 2019 at 10:05 AM at Capitol Room 211

I strongly support SB1405 SD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

I strongly support HB1574, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the Hawai'i Tobacco Prevention and Control Trust Fund.

Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. Hawaii has one of the highest rates of flavored electronic device use among teens, including middle-schooler, in the nation. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. This method was extremely effective in cutting down on youth cigarette smoking in the 1980's and 1990's. Like those efforts, a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

We owe our children, and all citizens, strong efforts on many fronts to attack and reverse the epidemic of ESD use, which is rapidly addicting new users because of the extremely high nicotine concentrations in the vaping liquids.

I strongly support HB1574 and ask you to pass this out of committee.

Sincerely,
Linda Weiner MD
Pediatrics
Kauai

2/24/2019

Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

To the Senate Committee on Judiciary and Committee on Ways and Means

The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice Chair
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We need your help to protect our children. It is criminal how ESD retailers are targeting children with their advertisements. Please protect our future generation. The health care cost impact of addicted children will be immense.

I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Martha Yamada
Hilo, HI 96720

2/22/2019

Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Bev Brody
Kilauea, HI 96754

2/24/2019

Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Annalise Busekrus
Kailua, HI 96734

2/23/2019

Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Dean Cevallos
Pahoa, HI 96778

2/24/2019

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Hrg: February 26, 2019 at 10:05 AM at Capitol Room 211

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Camille Chong
Honolulu, HI 96826

2/22/2019

Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

To the Senate Committee on Judiciary and Committee on Ways and Means

The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice Chair
Members of the Senate Committee on Judiciary

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Wilson Datario
Pepeekeo, HI 96783

2/25/2019

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Mahalo,
Courtney DeConto
Waianae, HI 96792

2/23/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Debbie Drummondo
Aiea, HI 96701

2/22/2019

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Mahalo,
normand dufresne
Pahoa, HI 96778

2/24/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Cherisse Fernandez
Kahului, HI 96732

2/22/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
MARILYN J. Gagen
Kamuela, HI 96743

2/24/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Clint Gima
Paia, HI 96779

2/23/2019

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Mahalo,
Michelle Gray
Honolulu, HI 96825

2/23/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Paul Ho
Honolulu, HI 96814

2/25/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Kahala Howser
Kaneohe, HI 96744

2/25/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
John Ishoda
Honolulu, HI 96817

2/25/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Tenaya Jackman
Honolulu, HI 96815

2/24/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Lisa Kakiuchi-Gima
Kahului, HI 96732

2/22/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Michael Kellar
Honolulu, HI 96821

2/23/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Betsy Kositwongsakul
Laie, HI 96762

2/23/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Ronald Kuriki
Honolulu, HI 96816

2/25/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Mae Kyono
Honolulu, HI 96826

2/23/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Christopher La Chica
Mililani, HI 96789

2/22/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Selene LeGare
Kahului, HI 96732

2/25/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Shayda Marciel
Lihue, HI 96766

2/23/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
MARIA MORENO-CHOW
Kailua, HI 96734

2/23/2019

Strong Support of SB1405 SD1, Relating to Electronic Smoking Products

To the Senate Committee on Judiciary and Committee on Ways and Means

The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice Chair
Members of the Senate Committee on Judiciary

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Senate Committee on Ways and Means

Hrg: February 26, 2019 at 10:05 AM at Capitol Room 211

I strongly support SB1405 SD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Diane Neubert
N San Juan, CA 95960

2/23/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Michele Nihipali
Hauula, HI 96717

2/22/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Barbara Nosaka
Honolulu, HI 96822

2/23/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
shelly ogata
Kurtistown, HI 96760

2/24/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Shilpa Patel
Honolulu, HI 96822

2/23/2019

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Mahalo,
Lena Phomsouvanh
Ewa Beach, HI 96706

2/23/2019

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Mahalo,
Anne Scharnhorst
Wailuku, HI 96793

2/23/2019

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Mahalo,
michelle schiffl
Kailua, HI 96734

2/22/2019

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Mahalo,
Allison Seales
Honolulu, HI 96817

2/23/2019

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Mahalo,
Jill STENSRUD
Kapolei, HI 96707

2/25/2019

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Mahalo,
Kim Swartz
Pearl City, HI 96782

2/24/2019

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Mahalo,
Dayna Taketa
Kahului, HI 96732

2/25/2019

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Mahalo,
Michael Treece
Pahoa, HI 96778

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Alan Trinh
Hilo, HI 96720

2/25/2019

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I strongly support SB1405 SD1 and ask you to pass this out of committee.

Mahalo,
Amber Wolfe
Honolulu, HI 96826

SB-1405-SD-1

Submitted on: 2/25/2019 10:01:11 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
austin carvalho	Individual	Oppose	No

Comments:

SB-1405-SD-1

Submitted on: 2/25/2019 10:02:27 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph dowell	Individual	Oppose	No

Comments:

I smoked for 11 years and quit with electronic cigarettes. The flavor is what really pulled me away from tobacco which eventually lead me to quit altogether.

SB-1405-SD-1

Submitted on: 2/25/2019 10:03:39 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jana Ortiz	Individual	Support	No

Comments:

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 10:16:53 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lee-Ann Heely	Individual	Support	No

Comments:

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 10:24:09 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
DANIEL DRAPESA	Individual	Oppose	No

Comments:

Aloha,

My name is Daniel, as a vaper and a employee at a locally owned and operated vape shop I strongly oppose this bill. If this was to become law it would seriously limit options for vapers here in Hawaii. Most of whom are ex smokers or in transition for smoking to vaping. Some local vape shops may be able to service their local area but with this bill becoming law it would limit their business potential and put a strain on them. Many ex smokers say that one specific flavor of Eliquid turned the tide for them. Making it possible to quit and stay off of smoking. You would be taking that opportunity away from many of us. Also it is inevitable that prices would go up making acquiring these product more of a hassle and some vapers may even return to smoking just because its more convenient . please consider your constituents and we the people that work in this vape industry and kill this bill.

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 10:30:51 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kelsie Cajka	Individual	Support	No

Comments:

I support this bill.

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 10:26:38 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Craig Petty	Individual	Support	No

Comments:

ESD's should be classified as any other tobacco product if not even more strictly. These are easier for our keiki to obtain requiring our government leaders to do all they can to make these more difficult to reach keiki.

I fully support taxation and treatment of ESD's as any other form of tobacco.

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 10:32:17 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Laksmi M Abraham	Individual	Support	No

Comments:

I am in strong support of this bill, as we need stronger enforcement around online sales, access and taxes. Kids are accessing vaping products online with little difficulty. We need to do whatever it takes to limit access to these devices and products, so we can help fight the epidemic our community is facing. Our children are being targeted by kid friendly marketing tactics, with the intent to addict another generation to tobacco products. This must end and this bill will help point us in the right direction. We need to protect our keiki from big tobacco, so let's close the loopholes that allow these products to get into the hands of our keiki. Mahalo!

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 10:34:56 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Keikilani Uehara	Individual	Support	No

Comments:

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 10:51:36 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jeffrey alameida	Individual	Support	No

Comments:

SB-1405-SD-1

Submitted on: 2/25/2019 10:58:36 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Cyrus Howe	Individual	Support	No

Comments:

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 11:13:45 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tammy Young	Individual	Oppose	No

Comments:

Don't take away the flavors I like or otherwise wreck my enjoyment of vaping.

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 11:20:26 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jade Iokepa	Individual	Support	No

Comments:

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 11:21:06 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Leyshon	Individual	Support	No

Comments:

SB-1405-SD-1

Submitted on: 2/25/2019 11:26:45 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Molliane Gotter	Individual	Support	No

Comments:

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 11:34:28 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bill Patterson	Individual	Oppose	No

Comments:

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 11:35:15 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Royce Fukuroku	Individual	Support	No

Comments:

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 12:01:41 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Chris C.K. Arakaki	Individual	Oppose	No

Comments:

This bill is another violation of our rights.

SB-1405-SD-1

Submitted on: 2/25/2019 12:10:57 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Ned Garcia	Individual	Oppose	No

Comments:

SB-1405-SD-1

Submitted on: 2/25/2019 12:28:20 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Owens	Individual	Oppose	Yes

Comments:

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 12:41:22 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Johnathon G. Myers	Individual	Oppose	No

Comments:

SB-1405-SD-1

Submitted on: 2/25/2019 1:23:08 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Cindy Nettles	Individual	Oppose	No

Comments:

I oppose ALL of this F'ed up bill!

SB-1405-SD-1

Submitted on: 2/25/2019 11:52:55 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Molly Mamaril	Individual	Support	No

Comments:

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 2:13:13 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tiffany L. Alana-Diones	Individual	Oppose	No

Comments:

Aloha my name is Tiffany. I would like to oppose bill SB1405. Why would you like to take away your choice of vaping/smoking? If you guys pass this bill the state will lose all the tax that small business will be paying. Also all the people will find other ways to get them. When you was a kid and you wanted something what did you do to get it. Everyone has done something wrong in your lifetime. Even when we didn't know it was wrong but if you can't let people buy or ship the produrts to Hawaii. Other people will get money that you guys could have got. So i say DON'T PASS THIS BILL SB1405. THANK YOU

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 3:10:32 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carol R. Ignacio	Individual	Support	No

Comments:

ESD is a threat to the health of our young. Vendors are skirting the truth about the dangers of ESD/Vaping and the unlawful purchases through the internet is really adding to the seriousness of this epidemic. Please support this bill. Mahalo.

Carol R. Ignacio

P. O. Box 317

Paauilo, Hawaii 96776

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 2:54:21 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lani Hernandez	Individual	Oppose	No

Comments:

SB-1405-SD-1

Submitted on: 2/25/2019 5:38:55 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Jenny Chan	Individual	Oppose	No

Comments:

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 8:23:21 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathy Kim	Individual	Oppose	No

Comments:

SB-1405-SD-1

Submitted on: 2/25/2019 6:52:09 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
April Pacheco	Individual	Oppose	No

Comments:

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 9:15:40 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Dietrich	Individual	Oppose	No

Comments:

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 9:19:54 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Chad Wheeling	Individual	Oppose	No

Comments:

You can take this bill and burn it.

SB-1405-SD-1

Submitted on: 2/25/2019 9:33:20 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Kimo Cruz	Individual	Oppose	No

Comments:

LATE

SB-1405-SD-1

Submitted on: 2/25/2019 9:41:10 PM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Anton	Individual	Oppose	No

Comments:

Leave electric smoking products alone. They help people.

SB-1405-SD-1

Submitted on: 2/26/2019 6:43:32 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Dallas Nelson	Individual	Oppose	No

Comments:

The bill's so nasty to vapers and lacks any kind of basic logic. I don't want a government that ruins the things I like.

LATE

SB-1405-SD-1

Submitted on: 2/26/2019 8:29:48 AM

Testimony for JDC on 2/26/2019 10:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Wendy Arbeit	Individual	Support	No

Comments:

I strongly support SB1405 SD1. Since ecigs contain nicotine, they should be regulated the same as tobacco. Impaired learning and behavior and reduced impulse control are the results of adolescent intake of nicotine as well as increased anxiety and depression. More troubling are the permanent changes in the brain, leading to higher risk for other addictions.

It is irresponsible to permit teenage use of such a substance, stopping them from reaching their full potential. Prohibit all electronic smoking products for use by children.